



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

1595 Wynkoop Street
DENVER, CO 80202-1129
Phone 800-227-8917
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OCT 09 2012

Ref: 8P-AR

Jeremy Nichols
Climate and Energy Program Director
WildEarth Guardians
1536 Wynkoop, Suite 301
Denver, CO 80202

Re: Freedom of Information Act Request 08-FOI-00148-12

Dear Mr. Nichols:

This is a follow up to our response dated September 6, 2012 pertaining to your Freedom of Information Act (FOIA) request dated March 6, 2012 regarding EPA's final rule entitled, "Approval and Promulgation of Implementation Plans; North Dakota; Regional Haze State Implementation Plan; Federal Implementation Plan for Interstate Transport of Pollution Affecting Visibility and Regional Haze." As we stated in our September 6, 2012 letter, some of the records in question have been claimed as confidential by third parties. We anticipate making a determination on these records by April 9, 2013.

If you no longer require these records or have any questions concerning this response, please contact Gail Fallon at (303) 312-6281.

Sincerely,

A handwritten signature in black ink, appearing to read "Howard M. Cantor".

Howard M. Cantor, for
Assistant Regional Administrator
Office of Partnerships and Regulatory Assistance



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